



*City of Las Vegas*

Agenda Item No.: 194.

**AGENDA SUMMARY PAGE - PLANNING  
PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2019**

DEPARTMENT: PLANNING  
DIRECTOR: ROBERT SUMMERFIELD

Consent  Discussion

**SUBJECT:** DR-7533 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CHICK-FILAE, INC. - OWNER: CROSSROADS COMMONS LTD, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 9,011 SQUARE-FOOT RESTAURANT WITH DRIVE THROUGH AND GENERAL RETAIL BUILDING WITH A WAIVER TO NOT SET THE BUILDING TO THE CORNER WHERE SUCH IS REQUIRED on 16.05.2333 at 1100 South Fort Apache Road (APN 163-05-101-002), C-2 (General Commercial) Zone, Ward 2 (Seroka) [PEJ-75235]. Staff recommends DENIAL.

**P.C.: FINAL ACTION (Unless Appealed Within 10 Days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<input type="text" value="8"/>	<b>Planning Commission Mtg.</b>	<input type="text" value="4"/>
<b>City Council Meeting</b>	<input type="text" value="0"/>	<b>City Council Meeting</b>	<input type="text" value="0"/>

**RECOMMENDATION:**

Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Traffic Notes Submitted by the City of Las Vegas Department of Public Works Traffic Engineering Division
7. Protest/Support Postcards
8. Submitted after Final Agenda - Revised Location and Aerial Maps and Protest/Support Postcards

Motion made by CHRISTINA ROUSH to Approve subject to conditions

Passed For: 4; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 1  
CHRISTINA ROUSH, TRINITY HAVEN SCHLOTTMAN, LOUIS DE SALVIO, VICKI QUINN; (Against-DONNA TOUSSAINT, SAM CHERRY); (Abstain-None); (Did Not Vote-None); (Excused-BRENDA J. WILLIAMS)

Minutes:  
CHAIR CHERRY declared the Public Hearing open.

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JONATHAN BOYLES, Planner II, reported that this is a request for a Site Development Plan Review for a proposed Restaurant with a Drive Through and General Retail building, which will replace the existing restaurant building located on the subject site. Title 19 requires proposed buildings on corner lots to be oriented to the corner and to the street in order to maintain a strong street frontage. The applicant requests setting the proposed building back from the minimum setback line, separated by a double drive through lane. While the proposed Restaurant with Drive Through and General Retail building are appropriate for the subject site, staff recommended denial of the proposed Site Development Plan Review due to the associated Waiver to allow the proposed building to not orient to the corner. Additional protest and support letters were received after publication.

ROBERT LOMBARDI appeared with STEF MARGARITO, who was in the audience, and he requested approval. MR. LOMBARDI explained that the building would be relatively in the same place as the existing building. They will build a Chick-Fil-A restaurant and a retail facility next door. The Code allows for the single drive through lane along the street frontage of Charleston Boulevard and Fort Apache Road, what does not meet the requirements is the dual lane against Charleston Boulevard. The need for the dual lane is to allow for stacking of a total of 37 stalls. Additionally, they created an aisle way for a turn movement when entering the shopping center from Charleston Boulevard.

MR. LOMBARDI said that the RTC (Regional Transportation Commission) would like to have a five foot by 50 foot bus stop placement behind the sidewalk. That is difficult as they plan to retain the block boulder wall along the perimeter of the property. He asked for support of the Waiver and removal of Condition.

ERICA RYAN, concerned neighbor, stated that she lives behind the proposed project and requested denial of the application. She was opposed due to the businesses' announcement prior to receiving approval and there is insufficient road infrastructure that cannot handle the dramatic increase in traffic. MS. RYAN said that there is not a need for this facility as there are more than 24 other facilities in the notification area that serve food and beverage, and many have drive throughs. She felt she was directly affected and requested that the Commissioners help maintain the health of the neighborhood.

MR. LOMBARDI noted that as one of the conditions, a traffic impact analysis will need to be addressed. He also pointed out that the existing restaurant is larger, and traffic will be mitigated somewhat by the difference in sizes of uses. They did a preliminary ITE (Institute of Transportation Engineers) analysis and noted that the a.m. peak hour trips will be between 30 and 61, and the p.m. peak hour trips will be between 18 and 37.

COMMISSIONER TOUSSAINT said that Fort Apache Road and Charleston Boulevard is very congested, and there is no parking available. She did not think this corner was good for this kind of traffic. COMMISSIONER QUINN agreed about the parking and being the wrong corner for this business.

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COMMISSIONER DE SALVIO supports the business but felt that intersection was very congested.

CHAIR CHERRY echoed the parking and traffic concerns. He was also concerned about the orientation of the drive through to Charleston Boulevard.

COMMISSIONER ROUSH stated that she did not have an issue with this project and thought it was a good use for the neighborhood. MR. LOMBARDI confirmed that they would be located on the hard corner. COMMISSIONER ROUSH did not have a problem with the stacking or parking plans and thought the drive through at their Rancho Drive location gets people through efficiently. She asked about the plans for the retail part of the building, and MR. LOMBARDI explained that it would be built as a shell for future tenants. COMMISSIONER ROUSH was concerned about parking for the additional retail, and MR. LOMBARDI pointed out on a site map noting that there are currently almost 100 stalls.

COMMISSIONER ROUSH was respectful of previous comments and the neighbors' concerns and noted that protest and support postcards were received, but no one had reached out to her.

COMMISSIONER ROUSH asked why the bus stop access needs to be widened and if it was to have a bigger turnout area for the bus. LUIGIEN PAER, Engineering Project Manager, explained that according to the RFP, this is a highly used bus stop and they are looking to expand in the future. This does not require the applicant to construct a bus shelter, but if the easement was granted they would have to meet a minimum width to make the bigger shelter. COMMISSIONER ROUSH stated that they like that walk in Summerlin and would have to deal with that at a later date.

COMMISSIONER ROUSH said that this is a high visibility landmark intersection, and the shopping center kitty-corner from this just went through a renovation and is very popular now. She noted that there are parking issues over there, but when she went to the subject site, there were many parking spaces available.

CHAIR CHERRY declared the Public Hearing closed.